

Appl. No. 09/784,881
Amdt. Dated September 16, 2004
Reply to Office action of June 17, 2004
Attorney Docket No. P13118-US1
EUS/JP/04-2113

REMARKS/ARGUMENTS

Claim Rejections – 35 U.S.C. §103(a)

The Examiner rejected claims 16-30 as being unpatentable over Boden *et al.* (US 6,330,562) in view of "A Public-key based secure Mobile IP," Zao, *et al.* The Applicant traverses the rejection.

The Examiner asserts that Boden discloses:

"a secure communication method for allowing a mobile host to communicate with a correspondent host over a Virtual Private Network via a Security Gateway, the method comprising the steps of:

(1) negotiating at least one Security Association between the mobile host and a correspondent host of a Virtual Private Network (Boden, col. 3, line 31);

(2) Initiating a communication between the mobile host and the Security Gateway (Boden, col. 3, line 65-66) **but fail [sic] to show**

sending an authentication certificate to the Security Gateway, the certificate including data identifying a Security Association which will be used for subsequent communication between the mobile host and the correspondent host; and

(3) sending data packets from the mobile host to the correspondent host using the identified Security Association, via the Security Gateway;

wherein said data packets are forwarded by the Security Gateway to the correspondent host only if they are authenticated by the Security Gateway.

The Applicant agrees with the Examiner that Boden fails to disclose the noted limitations of claim 1. The Applicant, however, disagrees with the Examiner as to the disclosure of those limitations by Zao. Not only does the Examiner not specifically identify each of the claimed method steps in Zao, **the Examiner does not provide accurate page references for any of the claims rejections based on Zao; for example, the rejection of claim 1 is based on a reference to page 375 of Zao, yet the Zao reference comprises pages 173-184.** Thus, it is impossible for the Applicant to appropriately analyze the Examiner's argument.

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Furthermore, the Examiner has provided no basis for combining the teachings of Boden and Zao, or for the assertion of equivalence between such terms as Mobility Agents (as used in Zao) and a VPN gateway. It appears that the Examiner has selected certain keywords from the claims as appearing in Boden and Zao and concluded that those combined references teach the invention, without a consideration of the unique process recited by the claims. The Examiner, therefore, has failed to establish a *prima facie* case of obviousness of claim 16. Whereas claims 17-28 are dependent from claim 16, and include the limitations thereof, and independent claims 29 and 30 recite limitations analogous to those of claim 16, those claims are also not obvious over Boden in view of Zao.

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CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 16-30.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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